

APPENDIX A

I. CONSTRUCTIONS OF CLAIM TERMS AGREED UPON**U.S. Patent No. 7,512,622 (“’622 Patent”)**

| Term | Claims | Agreed Construction |
|---|---------------------------------|---|
| site | 1, 2, 4, 5, 7-14, 16-18, 20-23 | web site |
| site on a network | 1, 2, 4, 5, 7-14, 16-18, 20-23 | web site on a network |
| plurality | 1, 2, 4, 5, 7-14, 16-18, 20-23 | more than one |
| metadata attributes metadata attribute types | 1, 2, 4, 5, 7-14, 16, 18, 20-23 | types of information that characterize a media file, e.g., the title, description, duration, and format of a media file |

U.S. Patent No. 7,640,320 (“’320 Patent”)

| Term | Claims | Agreed Construction |
|---------------|---------------|---|
| client | 1, 2, 4 | the entity that provides digital content to the ingest server |

II. DISPUTED CLAIM TERMS**’622 Patent**

| No. | Term(s) | Claims | Yahoo!’s Proposed Construction & Evidence | Augme and WTR’s Proposed Construction & Evidence |
|------------|-----------------------------|--------------------------------|--|--|
| 1. | media file providers | 1, 2, 4, 5, 7-14, 16-18, 20-23 | <p>Plain meaning.</p> <p>Evidence:</p> <ul style="list-style-type: none"> Summary of the Invention; 1:44-61, 3:16-32, 4:52-7:48. | <p>entities that provide digital audio or video files, wherein file is a named sequence of bits that is stored on a persistent medium</p> <p>* This term may be claim dispositive as to one or all accused products.</p> |

| No. | Term(s) | Claims | Yahoo!'s Proposed Construction & Evidence | Augme and WTR's Proposed Construction & Evidence |
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| | | | <ul style="list-style-type: none"> • Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. • <i>See also evidence cited for '320 Patent "redirector file."</i> | <p><u>Intrinsic Evidence:</u></p> <p>7:25-33 "A content provider that desires to interact with the site of the present invention has an assigned Content Management System (CMS) account with provider names and passwords. The providers can FTP (file transfer protocol) media files, images and XML feed documents using the template described above. The transferred media files, with the associated metadata according to the XML template, are then provided to a page generation tool and assembled into a window and accompanying channel modules."</p> <p><i>See also</i> Abstract; 1:15-23; 1:24-37; 1:44-48; 1:52-61; 2:24-36; 2:48-56; 3:1-4; 3:16-23; 5:41-43; 6:46-62; 7:25-37; 7:49-50; 7:52-58; 8:8-17; 8:20-21; 8:35-39; 8:60-62; YAH-0019622-23; YAH-0019627-633; YAH-0019647-663; YAH-0019669-75; YAH-0019683-698; YAH-0019720-746; YAH-0019762-783; YAH-0019787-798; YAH-0019803-817; YAH-0019984-91; YAH-0019995-20025; YAH-0020030-055; YAH-0020056-075; YAH-0020081-84; YAH-0020088-098; YAH-0020124-211; YAH-0020213-20222; YAH-0020228-257; figures 5-8, 14-15; context of claims 1-23; AU0013041-067.</p> <p>U.S. Patent No. 7,174,126 (McElhatten).</p> <p>U.S. Patent No. 6,311,194 (Sheth).</p> <p><u>Extrinsic Evidence:</u></p> <p>File: A complete, named collection of information, such as a program, a set of data used by a program, or a user-created document. A file is the basic unit of storage that enables a computer to distinguish one set of information from another. A file is the "glue" that binds a conglomeration of instructions, numbers, words, or</p> |

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| | | | | <p>images into a coherent unit that a user can retrieve, change, delete, save, or send to an output device. <i>See Computer Dictionary</i> (Microsoft Press, 3rd ed., 1997) at 194.</p> <p>File: A complete, named collection of information, such as a program, a set of data used by a program, or a user-created document. A file is the basic unit of storage that enables a computer to distinguish one set of information from another. A file is the “glue” that binds a conglomeration of instructions, numbers, words, or images into a coherent unit that a user can retrieve, change, delete, save, or send to an output device. <i>See Computer Dictionary</i> (Microsoft Press, 5th ed., 2002) at 211.</p> <p>YAH-0022732-734; YAH-0022763-764.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 2. | <p>defining a set of metadata attributes</p> <p>defining a set of metadata attribute types</p> | 1, 2, 4, 5, 7-14, 16-18, 20-23 | <p>configuring a database of the site to store values for metadata attributes</p> <p>Evidence:</p> <ul style="list-style-type: none"> Abstract; Summary of the Invention; 4:40-7:48, 7:58-8:1, 8:49-53, 8:63-9:10, 9:26-34. Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. | <p>constructing an XML data store template that contains the metadata attributes</p> <p>* This term may be claim dispositive as to one or all accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>7:28-33 “The providers can FTP (file transfer protocol) media files, images and XML feed documents using the template described above. The transferred media files, with the associated metadata according to the XML template, are then provided to a page generation tool and assembled into a window and accompanying channel modules. This process can be automated so that content can be published (assuming its availability date is current) almost instantly.”</p> |

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| | | | | <p><i>See also</i> Abstract; 2:40-56; 2:64-3:2; 4:52-7:35; 7:43-48; 7:57-8:1; 8:49-52; 9:3-10; figures 1-8, 12-14; context of claims 1-23; YAH-019622-23; YAH-0019627-633; YAH-0019647-663; YAH-0019669-75; YAH-0019683-698; YAH-0019720-746; YAH-0019762-783; YAH-0019787-798; YAH-0019803-817; YAH-0019984-91; YAH-0019995-20025; YAH-0020030-055; YAH-0020056-075; YAH-0020081-84; YAH-0020088-098; YAH-0020124-211; YAH-0020213-20222; YAH-0020228-257; and definition and citations for “media file providers.”</p> <p>U.S. Patent No. 6,311,194 (Sheth).</p> <p><u>Extrinsic Evidence:</u></p> <p>YAH-0022732-734; YAH-0022763-764.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 3. | compiling said plurality of media files | 1, 2, 4, 5, 7-14, 16-18, 22-23 | <p>Plain meaning.</p> <p>If the Court believes construction is necessary, Yahoo! proposes: gathering data about said plurality of media files.</p> <p><i>Evidence:</i></p> <ul style="list-style-type: none"> • Abstract; 1:24-2:36, 3:15-32, 4:52-7:48. • Aug. 1, 2007 Am. at 10-11. • The American Heritage Dictionary of the English Language 385 (3d Ed. 1996) (“compile”: “2. to put together or compose from materials gathered from several sources.”). • The American Heritage Dictionary 284 (3d Ed. 1997) (“compile”: “2. to put together or compose from materials gathered from several sources.”) • Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. | <p>gathering or putting together into a corpus or other collection the plurality of media files</p> <p>* This term may be claim dispositive as to one or all accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>YAH-0019771: “As it is defined in the American Heritage Dictionary of the English Language, the term ‘compile’ means to gather, or put together, into a corpus or other collection.”</p> <p>YAH-0019732: “The plurality of media files are complied for use with the interface, the plurality of media files being compiled from more than one media file provider.”</p> <p><i>See also</i> 7:24-37; YAH-019622-23; YAH-0019627-633; YAH-0019647-663; YAH-0019669-75; YAH-0019683-</p> |

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|-----|---|----------------------|--|--|
| | | | | <p>698; YAH-0019720-746; YAH-0019762-783; YAH-0019787-798; YAH-0019803-817; YAH-0019984-91; YAH-0019995-20025; YAH-0020030-055; YAH-0020056-075; YAH-0020081-84; YAH-0020088-098; YAH-0020124-211; YAH-0020213-20222; YAH-0020228-257; context of claims 1-23; and definition and citations for “media file providers.”</p> <p>U.S. Patent No. 6,311,194 (Sheth).</p> <p><u>Extrinsic Evidence:</u></p> <p>YAH-0022732-734; YAH-0022763-764.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 4. | associating metadata attributes from the set of metadata attributes with each of said plurality of media files | 1, 2, 4, 5, 7-13, 23 | <p>storing values for the metadata attributes as corresponding to each of said plurality of media files in a database</p> <p>Evidence:</p> <ul style="list-style-type: none"> • Abstract; Summary of the Invention; 4:40-7:48, 7:58-8:1, 8:49-53, 8:63-9:10, 9:26-34. • Merriam-Webster's Collegiate Dictionary 70 (10th Ed. 1998) (“associate”: “4. to bring together or into relationship in any of various intangible ways (as in memory or imagination).”) • The American Heritage Dictionary of the English Language 112 (3d Ed. 1996) (“associate”: “2. to connect or join together; combine. 3. To connect in the mind or imagination . . .”). • Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. | <p>Plain meaning of associating</p> <p>If the Court believes construction is necessary, Augme and WTR propose: to join or connect together metadata attributes from the set of metadata attributes with each of said plurality of media files</p> <p><u>Intrinsic Evidence:</u></p> <p>4:52-61 “The present invention is able to customize content presentation because of the data structure of the database used for the local data storage. In one embodiment, data is stored using an XML template unique to the present invention. This allows metadata to be included which facilitates the sorting and presentation of data to the user, making a consistent interface and experience possible. In one embodiment, XML data is stored locally but some or all content is stored remotely and linked to a local site.”</p> <p><i>See also</i> Abstract; 2:32-36; 2:40-56; 2:64-3:2; 4:47-51; 4:52-7:35; 7:43-48; 7:42-45; 7:57-8:1; 8:49-52; 9:3-10;</p> |

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|-----|---------------|--------------------------------|--|--|
| | | | | <p>figures 1-8, 12-14; context claims 1-23; YAH-019622-23; YAH-0019627-633; YAH-0019647-663; YAH-0019669-75; YAH-0019683-698; YAH-0019720-746; YAH-0019762-783; YAH-0019787-798; YAH-0019803-817; YAH-0019984-91; YAH-0019995-20025; YAH-0020030-055; YAH-0020056-075; YAH-0020081-84; YAH-0020088-098; YAH-0020124-211; YAH-0020213-20222; YAH-0020228-257; and definition and citations for "media file providers." U.S. Patent No. 6,311,194 (Sheth).</p> <p><u>Extrinsic Evidence:</u></p> <p>Associate: To join in a relationship <i>See Webster's II New Riverside Dictionary</i>, (Revised ed., 1996) at 43.</p> <p>Associate: ...3: to join or connect together <i>See Merriam-Webster's Collegiate Dictionary</i> (Eleventh ed., 2003) at 75.</p> <p>Associate: ...2: To connect or join together <i>See The American Heritage Dictionary Of the English Language</i> (4th ed. 2000) at 109.</p> <p>YAH-0022732-734; YAH-0022763-764</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 5. | viewer | 1, 2, 4, 5, 7-14, 16-18, 20-23 | <p>a media file player displayed on a web page</p> <p>Evidence:</p> <ul style="list-style-type: none"> Abstract; Figs. 1-8, 14; 3:16-32, 7:49-8:62, 9:40-53, 11:4-21. U.S. Patent No. 7,908,630 at, <i>e.g.</i>, Abstract, 2:24-40. U.S. Patent No. 7,103,668 at, <i>e.g.</i>, Abstract, 4:1-13. Dr. Nutt may testify that a skilled artisan would have | <p>a video file player</p> <p>* This term may be claim dispositive as to one or more of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p><i>See</i> 1:24-29; 1:53-67; 2:40-60; 3:3-4; 3:20-27; 4:19-39; 4:62-65; 5:35-43; 9:42-46; 9:40-11:21; YAH-019622-23;</p> |

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|-----|---|-------------|--|---|
| | | | understood this term to have the meaning proposed by Yahoo!. | <p>YAH-0019627-633; YAH-0019647-663; YAH-0019669-75; YAH-0019683-698; YAH-0019720-746; YAH-0019762-783; YAH-0019787-798; YAH-0019803-817; YAH-0019984-91; YAH-0019995-20025; YAH-0020030-055; YAH-0020056-075; YAH-0020081-84; YAH-0020088-098; YAH-0020124-211; YAH-0020213-20222; YAH-0020228-257; figures 1-10, 15; context of claims 1-23.</p> <p>U.S. Patent No. 6,311,194 (Sheth).</p> <p><u>Extrinsic Evidence:</u></p> <p>view: To see. <i>See Webster's II New Riverside Dictionary</i>. (Revised ed., 1996) at 753</p> <p>view: To look at; watch. <i>See The American Heritage Dictionary Of the English Language</i> (4th ed., 2000) at 1918.</p> <p>View vt: ...2 a: see, watch. <i>See Merriam-Webster's Collegiate Dictionary</i> (Eleventh ed., 2003) at 1394.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 6. | provided by an Internet provider | 8-13, 20-22 | <p>Plain meaning.</p> <p>If the Court believes construction is necessary, Yahoo! proposes: provided by a person or entity accessible over the Internet.</p> <p>Evidence:</p> <ul style="list-style-type: none"> 1:15-2:36, 3:16-32, 12:8-13:54. Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. | <p>made available over the internet by a commercial entity that supplies internet connectivity services</p> <p>* This term may be dispositive for some of the asserted claims of the '622 patent for all of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>Context of claims 1, 7, 8, 11, 14, and 20.</p> <p><u>Extrinsic Evidence:</u></p> <p>ISP: Acronym for Internet service provider. A business</p> |

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| | | | | <p>that supplies Internet connectivity services to individuals, businesses, and other organizations. Some ISPs are large national or multinational corporations that offer access in many locations, while others are limited to a single city or region. <i>Also called</i> access provider, service provider. <i>See Computer Dictionary</i> (Microsoft Press, 3rd ed., 1997) at 267.</p> <p>ISP: Acronym for Internet service provider. A business that supplies Internet connectivity services to individuals, businesses, and other organizations. Some ISPs are large national or multinational corporations that offer access in many locations, while others are limited to a single city or region. <i>Also called</i> access provider, service provider. <i>See Computer Dictionary</i> (Microsoft Press, 5th ed., 2002) at 291.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |

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| Row | Term(s) | Claims | Yahoo!'s Proposed Construction & Evidence | Augme and WTR's Proposed Construction & Evidence |
|-----|----------------------|----------------------|--|---|
| 7. | ingest server | 1, 2, 4, 7, 8, 10 | <p>server(s) that receives digital content or a unique identifier of digital content</p> <p>Evidence:</p> <ul style="list-style-type: none"> Figures 1, 3, 6, and 7; 3:8-23, 4:12-34, 9:41-61, 12:31-67, 13:1-14:20, 14:29-42, 19:28-32, 21:65-22:8; 25:29-35. Microsoft Press Computer Dict. 474 (5th Ed. 2002) ("server": "2. On the internet or other network, a computer or program that responds to commands from a client.") IBM Dictionary of Computing 612 (10th Ed. 1994) ("server": "(1) A functional unit that provides shared services to workstations over a network; for example, a file | <p>a distinct server in a content management system to which digital content is uploaded, transferred or copied</p> <p>* This term may be claim dispositive as to all of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>3:8-12 "[T]he client 102 up-loads streaming media content to the repository or storage server (and associated storage) 106 either directly, via an HTTP up-load, or via an FTP ingest server (and associated storage) 108."</p> |

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|-----|--------------------------|-------------------|---|---|
| | | | <p>server, a print server, a mail server. . . (6) in TCP/IP, a system in a network that handles the requests of a system at another site, called a client-server.”)</p> <ul style="list-style-type: none"> Encyclopedia of Computer Science 215 (4th Ed. 2000) (“client-server computing”: “Client-server computing is a distributed computing model in which client applications request services from server processes. . . . The server process or program listens for client requests that are transmitted via the network. Servers receive those requests and perform actions such as database queries and reading files. Server processes typically run on powerful PCs, workstations (q.v.), or mainframe (q.v.) computers.”) Oxford Dictionary of Computing 460 (6th Ed. 2008) (“server”: “A system on a network that provides a service to other systems connected to the network.”) McGraw-Hill Dictionary of Scientific and Technical Terms 1905 (6th Ed. 2003) (“server”: “A computer or software package that sends requested information to a client or clients in a network.”) Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. | <p>13:8-14 “As an initial step in the programmatic upload and ingest process, the client 102 uploads one or more files to the FTP ingest server 108 utilizing FTP client software residing on the client's machine. Once the files have been uploaded, the client 102 may use the ASP and pass certain variables on a query string to cause a file to be ingested or to perform another content management function.”</p> <p><i>See also:</i> Abstract; 1:16-21; 1:30-50; 1:54-2:2; 2:21-26; 3:8-29; 3:34-39; 3:53-54; 4:12-16; 5:12-27; 9:41-56; 9:58-61; 12:11-39; 13:8-42; 14:4-20; 14:43-58; 19:5-9; 20:5-13; and 2:10-34, figures 1, 3a-j, 4a, 6, 7; context of claims 1-11; YAH-0019200-204, YAH-0019212-220; YAH-0019225-229; YAH-0019233-234; YAH-0019237-241; YAH-0019243-250; YAH-0019255-260; YAH-0019264-271; YAH-0019278-282; YAH-0019290-297; YAH-0019299-300; YAH-0019305-309.</p> <p>U.S. Patent No. 7,313,604 (Wood).</p> <p>U.S. Pat. App. Pub. No. 2004/0199657 (Eyal).</p> <p><u>Extrinsic Evidence:</u></p> <p>YAH-0022732-734.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 8. | repository server | 1, 2, 4, 7, 8, 10 | <p>server(s) that stores content</p> <p>Evidence:</p> <ul style="list-style-type: none"> Figures 1, 4a item 470, 6, 7; 3:7-12, 3:57-4:33, 5:63-6:1, 12:32-41, 12:48-65, 13:21-41, 14:13-15, 18:43-19:4. Microsoft Press Computer Dict. 450 (5th Ed. 2002) (“repository”: “1. a collection of information about a computing system. 2. a superset of a data dictionary.”) | <p>a distinct server in a content management system whose function is to store a back-up of digital content</p> <p>* This term may be claim dispositive as to all of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>3:8-22 “As discussed in greater detail below, the client</p> |

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|-----|---------|--------|--|--|
| | | | <ul style="list-style-type: none"> Microsoft Press Computer Dict. 142 (5th Ed. 2002) ("data dictionary": "... Data dictionaries store all the various schema and file specifications and their locations.") Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. <i>See also evidence cited for "ingest server."</i> | <p>102 up-loads streaming media content to the repository or storage server (and associated storage) 106 either directly, via an HTTP up-load, or via an FTP ingest server (and associated storage) 108. Once the client 102 has up-loaded its streaming media content, the client may manage its content via web pages on a content management web site provided by a client-side web server 110. As discussed in greater detail with reference to FIG. 3a-j, the web site serves as an interface through which the client 102 may log into its account and select any of the following exemplary functions: up-load new content; search the client's existing up-loaded content; create and edit playlists; browse the client's contents stored on the FTP server 108; and perform a batch up-load of content from the FTP server 108 to the repository server 106."</p> <p><i>See also</i> Abstract; 1:16-21; 1:30-50; 2:3-8; 2:17-34; 3:8-12; 3:34-39; 3:53-54; 3:57-4:3; 4:12-23; 5:12-27; 5:61-6:26; 6:31-43; 9:58-61; 12:11-39; 13:8-42; 14:4-20; 14:43-46; 18:32-19:4; 22:29-32; figures 1, 4a-b; context of claims 1-11; YAH-0019200-204, YAH-0019212-220; YAH-0019225-229; YAH-0019233-234; YAH-0019237-241; YAH-0019243-250; YAH-0019255-260; YAH-0019264-271; YAH-0019278-282; YAH-0019290-297; YAH-0019299-300; YAH-0019305-309.</p> <p>U.S. Patent No. 7,313,604 (Wood).</p> <p>U.S. Pat. App. Pub. No. 2004/0199657 (Eyal).</p> <p>U.S. Provisional Application 60/263058 at 27 ("For example, certain embodiments do not include repository servers and, therefore, do not maintain backed-up copies of files as in the embodiment of Figure 1.").</p> <p><i>See also</i> citations for "ingest server."</p> <p><u>Extrinsic Evidence:</u></p> |

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| | | | | YAH-0022732-734. Testimony of Dr. Bobby Bhattacharjee. |
| 9. | server hostname | 1, 2, 4, 7, 8, 10 | <p>Plain meaning.</p> <p>Evidence:</p> <ul style="list-style-type: none"> • 26:29-42. • Microsoft Press Computer Dict. 257 (5th Ed. 2002) (“host name”: “The name of a specific server on a specific network within the Internet, leftmost in the complete host specification. For example, www.microsoft.com indicates the server called “www” within the network at Microsoft Corporation.”) • Microsoft Press Computer Dict. 170 (5th Ed. 2002) (“DNS”: “1. Acronym for Domain Name System. The hierarchical system by which hosts on the Internet have both domain name addresses (such as bluestem.prairienet.org) and IP addresses (such as 192.17.3.4). The domain name address is used by human users and is automatically translated into the numerical IP address, which is used by human users and is automatically translated into the numerical IP address, which is used by the packet-routing software. DNS names consist of a top-level domain (such as .com, .org, and .net), a second-level domain (the site name of a business, an organization, or an individual), and possibly one or more subdomains (servers within a second-level domain).”) • Microsoft Press Computer Dict. 172 (5th Ed. 2002) (“Domain name address”: “The address of a device connected to the Internet or any other TCP/IP network, in the hierarchical system that uses words to identify servers, organizations, and types, such as www.logos.net.”) • Dictionary of Networking 115 (3d Ed. 1999) (“Domain | <p>the network name of the particular media server in a content management system from which digital content is served to an end-user</p> <p>* This term may be claim dispositive as to all of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>7:16-22 “The CM Database also includes a Stream-Servers Table 230. The records in the Stream-Servers-Table 230 correlate each file, as identified by its stream ID, with the hostname (or domain name server (DNS) address) of the streaming server 120 on which it resides. While each stream ID will only have one record, a particular file will have as many records as it has copies residing on different streaming servers 120.”</p> <p>17:62-18:4 “The Stream-Servers Table 230 includes the location or (DNS) hostname of the particular media server 120 containing the stream file associated with a particular stream identifier. Using the URL prefix, the hostname, and the stream filename, the “makeplaylist” dynamically generates a URL for each stream file. An example of such a URL is listed below, wherein the URL prefix is “mms://”, the hostname is “mediaserver.company.com” and the stream file name is “filename.asf.”: <“mms://mediaserver.company.com/filename.asf”></p> <p><i>See also</i> Abstract; 1:16-21; 1:30-50; 2:19-23; 2:24-26; 2:35-36; 3:34-39; 3:53-54; 4:12-16; 25:49-61; 25:5-27:16; context of claims 1-11; figures 2d, 8c, 8f, 8g; YAH-</p> |

| Row | Term(s) | Claims | Yahoo!'s Proposed Construction & Evidence | Augme and WTR's Proposed Construction & Evidence |
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| | | | <p>Name Service": "Abbreviated DNS, sometimes referred to as Domain Naming System. A distributed addressing system that resolves the domain name into the numeric IP address. DNS lets you use the Internet without having to remember long lists of cryptic numbers.")</p> <ul style="list-style-type: none"> • Oxford Dictionary of Computing 157 (6th Ed. 2008) ("domain name server": "A system that provides mapping between the human-oriented names of users or services in a network, and the machine-oriented network address of the named entity.") • McGraw-Hill Dictionary of Scientific and Technical Terms 1013 (6th Ed. 2003) ("host computer": "3. a computer that can function as the source or recipient of data transfers on a network.") • Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. • <i>See also evidence cited for "ingest server."</i> | <p>0019200-204, YAH-0019212-220; YAH-0019225-229; YAH-0019233-234; YAH-0019237-241; YAH-0019243-250; YAH-0019255-260; YAH-0019264-271; YAH-0019278-282; YAH-0019290-297; YAH- 0019299-300; YAH-0019305-309.</p> <p>U.S. Patent No. 7,313,604 (Wood).</p> <p>U.S. Pat. App. Pub. No. 2004/0199657 (Eyal).</p> <p><u>Extrinsic Evidence:</u></p> <p>Host name: The name of a specific server on a specific network within the Internet leftmost in the complete host specification. <i>See Computer Dictionary</i> (Microsoft Press, 3rd ed., 1997) at 236.</p> <p>Host name: The name of a specific server on a specific network within the Internet, leftmost in the complete host specification. For example, www.microsoft.com indicates the server called "www" within the network at Microsoft Corporation. <i>See Computer Dictionary</i> (Microsoft Press, 5th ed., 2002) at 257.</p> <p>YAH-0022732-734.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 10. | playlist server | 1, 2, 4, 7, 8, 10 | <p>server(s) that causes digital content to be provided to the end user</p> <p>Evidence:</p> <ul style="list-style-type: none"> • Fig. 1, 2b item 226; Abstract; Summary of the Invention; 4:3-34, 17:15-18, 17:36-18:33, 25:5-26:41. • Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. • <i>See also evidence cited for "ingest server."</i> | <p>a distinct server in a content management system that determines the specific media server from which the requested digital content will be served</p> <p>* This term may be claim dispositive as to all of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p><i>See</i> Abstract; 1:16-21; 1:30-50; 2:12-36; 3:34-39; 3:53-</p> |

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| | | | | <p>4:23; 16:60-18:38; 25:5-27:16; figures 1, 3f, 5, 6, 8a, 8b; context of claims 1-11; YAH-0019200-204, YAH-0019212-220; YAH-0019225-229; YAH-0019233-234;YAH-0019237-241; YAH-0019243-250; YAH-0019255-260; YAH-0019264-271; YAH-0019278-282; YAH-0019290-297; YAH- 0019299-300; YAH-0019305-309.</p> <p>U.S. Patent No. 7,313,604 (Wood).</p> <p>U.S. Pat. App. Pub. No. 2004/0199657 (Eyal).</p> <p>U.S. Provisional Application 60/263058 at 25-26.</p> <p><u>Extrinsic Evidence:</u></p> <p>YAH-0022732-734.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 11. | redirector file | 1, 2, 4 | <p>a file that includes the server hostname and filename of the requested digital content</p> <p>Evidence:</p> <ul style="list-style-type: none"> Fig. 2b item 226, Fig. 4a item 470; Abstract; Summary of the Invention; 5:27-44, 5:61-6:6, 7:15-26, 12:53-65, 14:13-20, 14:29-42, 15:57-59, 17:15-18:27, 24:57-65, 25:5-26:41. Microsoft Press Computer Dict. 257 (5th Ed. 2002) ("file": "A complete, named collection of information, such as a program, a set of data used by a program, or a user-created document. . . . A file is the "glue" that binds a conglomeration of instructions, numbers, words, or images into a coherent unit that a user can retrieve, change, delete, save, or send to an output device.") IBM Dictionary of Computing 268-69 (10th Ed. 1994) ("file": "3. A collection of information treated as a unit; . . | <p>a file containing links to the particular media server in the content management system from which the requested digital content will be served, the links including the server hostname and filename</p> <p>* This term may be dispositive as some of the asserted claims of the '320 patent as to all of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>See Abstract; 1:16-21; 1:30-50; 2:24-26; 3:34-39; 3:53-54; 4:3-7; 4:12-16; 17:20-18:26; 25:56-61; 26:20-41; 26:45-51; context of claims 1-6; YAH-0019200-204, YAH-0019212-220; YAH-0019225-229; YAH-0019233-234;YAH-0019237-241; YAH-0019243-250; YAH-0019255-260; YAH-0019264-271; YAH-0019278-282; YAH-0019290-297; YAH- 0019299-300; YAH-0019305-309.</p> |

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| | | | <p>. 5. A collection of related data that is stored and retrieved by an assigned name.”)</p> <ul style="list-style-type: none"> • Encyclopedia of Computer Science 708 (4th Ed. 2000) (“client-server computing”: “In general, a file is a collection of data representing a set of entities with certain aspects in common and which are organized for some specific purpose.”) • Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. | <p>U.S. Patent No. 7,313,604 (Wood).</p> <p>U.S. Pat. App. Pub. No. 2004/0199657 (Eyal).</p> <p>U.S. Patent No. 6,553,376 (Lewis).</p> <p>U.S. Provisional Application 60/263058 at 25-26.</p> <p>Filename: <i>See</i> 2:18-23; 2:35-36; 13:15-20; 13:54-66; 17:58-18:4; 25:37-48; 26:20-41; figures 2b-2d, 3c, 3d, 8b-8e, 8g; context of claims 1, 6, and 7.</p> <p><i>See</i> definition and citations for “server hostname.”.</p> <p><u>Extrinsic Evidence:</u></p> <p><i>See Inside Windows Media</i>, 1999 Chapter 9; Glossary “ASF Stream Redirector.” (AU0012235-262; AU0012321-329)</p> <p>File: A complete, named collection of information, such as a program, a set of data used by a program, or a user-created document. A file is the basic unit of storage that enables a computer to distinguish one set of information from another. A file is the “glue” that binds a conglomeration of instructions, numbers, words, or images into a coherent unit that a user can retrieve, change, delete, save, or send to an output device. <i>See Computer Dictionary</i> (Microsoft Press, 3rd ed., 1997) at 194.</p> <p>File: A complete, named collection of information, such as a program, a set of data used by a program, or a user-created document. A file is the basic unit of storage that enables a computer to distinguish one set of information from another. A file is the “glue” that binds a conglomeration of instructions, numbers, words, or</p> |

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| | | | | <p>images into a coherent unit that a user can retrieve, change, delete, save, or send to an output device. <i>See Computer Dictionary</i> (Microsoft Press, 5th ed., 2002) at 211.</p> <p>YAH-0022732-734</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |
| 12. | receiving by an ingest server the unique identifier to the digital content | 7, 8, 10 | <p>Plain meaning.</p> <p>Evidence:</p> <ul style="list-style-type: none"> Abstract; Summary of Invention; Figs. 1, 3a-3-j-2, 4, 6, 7; 1:54-2:8, 2:41-4:33, 10:46-54, 11:30-12:7, 13:43-14:42, 17:27-33, 23:40-56, 24:48-55. Dr. Nutt may testify that a skilled artisan would have understood this term to have the meaning proposed by Yahoo!. <i>See also evidence cited for "ingest server" and "redirector file."</i> | <p>indefinite</p> <p>* This term may be claim dispositive as to all of the accused products.</p> <p><u>Intrinsic Evidence:</u></p> <p>3:8-12 "[T]he client 102 up-loads streaming media content to the repository or storage server (and associated storage) 106 either directly, via an HTTP up-load, or via an FTP ingest server (and associated storage) 108."</p> <p>13:8-13 "As an initial step in the programmatic upload and ingest process, the client 102 uploads one or more files to the FTP ingest server 108 utilizing FTP client software residing on the client's machine. Once the files have been uploaded, the client 102 may use the ASP and pass certain variables on a query string to cause a file to be ingested or to perform another content management function."</p> <p><i>See also:</i> Abstract; 1:16-21; 1:30-50; 1:54-2:2; 2:21-26; 3:8-29; 3:34-39; 3:53-54; 4:12-16; 9:58-61; 12:11-39; 13:8-42; 14:43-58; 19:5-9; 20:5-13; and 2:10-34, figures 1, 3a-j, 4a, 6, 7; context of claims 1-11; YAH-0019200-204, YAH-0019212-220; YAH-0019225-229; YAH-0019233-234; YAH-0019237-241; YAH-0019243-250; YAH-0019255-260; YAH-0019264-271; YAH-0019278-</p> |

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| | | | | <p>282; YAH-0019290-297; YAH- 0019299-300; YAH-0019305-309.</p> <p>U.S. Patent No. 7,313,604 (Wood).</p> <p>U.S. Pat. App. Pub. No. 2004/0199657 (Eyal).</p> <p><u>Extrinsic Evidence:</u></p> <p>YAH-0022732-734.</p> <p>Testimony of Dr. Bobby Bhattacharjee.</p> |